



RECEIVED
FEDERAL ELECTION
COMMISSION
OFFICE OF GENERAL
COUNSEL

2008 SEP 25 A 9 55

September 15, 2008

General Counsel's Office
Federal Election Commission
Washington, DC 20463

RE: MUR # 6057

Dear General Counsel:

In reference to the above complaint, letter dated August 26, 2008 and received September 3, 2008, the Jennifer Horn for Congress Committee finds these allegations to be baseless and amount to a political stunt by a primary opponent.

As evidence that this was a political stunt by a primary opponent, Mr. Bosse first held a press conference and released to the press his original complaint on July 17, 2008. However, the complaint filed with the FEC was dated August 18, 2008 – a full month later. Additionally, Mr. Bosse made changes to his spreadsheet after the Jennifer Horn for Congress campaign issued a release stating he was inaccurate.

Rules governing general election funds state: 1) Candidates needs to have an accounting system to track General Election contributions and Primary Election contributions; 2) prior to the primary, the recorded cash on hand equal to or in excess of the sum of general election contributions received less the sum of general election disbursements made; and 3) should the candidate lose the primary, contributions accepted for the general must be refunded within 60 days. The Jennifer Horn for Congress Campaign has been in full compliance of FEC regulations.

Since Mr. Bosse's complaint focuses on #2 (the use of General Election Funds), the Jennifer Horn for Congress campaign offers the following pieces of information for your consideration:

First, Mr. Bosse states that the use of General Election Funds during the primary is prohibited. This statement is untrue. The Federal Register (Vol. 67, No. 223, dealing with 11 CFR Parts 102 and 110 Contribution Limitations and Prohibitions; Final Rule) states: "New paragraph (e)(2) makes the standard for acceptable accounting methods explicit by stating that the committee's records must demonstrate that, prior to the primary election, recorded cash on hand was at all times equal to or in excess of the sum of general election contributions received less the sum of general election disbursements made."

During the beginnings of the Jennifer Horn for Congress campaign, the campaign incurred expenses for deposits that will be refunded at the end of the campaign - most notable are deposit of \$1,352.50 and 1,200.00 for Phones and Rent on March 4 and \$1,352.50 on March 18. This \$3,905 is considered General Election Expenses (incurred during the primary) as the money will be available should the campaign lose the primary and refund general election contributions within the required 60

Paid for and Authorized by Jennifer Horn for Congress

29044224920

days. When these deposits are factored in, even using Mr. Bosse's numbers, the campaign always had cash on hand in excess of general election contributions.

Second, on both reporting periods, the April 15th Quarterly Report and the July 15th Quarterly Report, the campaign reported cash on hand in excess of general election funds.

As these two pieces of information demonstrate, the Jennifer Horn for Congress campaign has remained in full compliance of FEC regulations. I hope that the FEC will dismiss these claims as political in nature.

Thank you for your review of this matter. If additional information is needed, please let me know.

Sincerely,



Mark Cookson
Treasurer

Jennifer Horn for Congress
379 Amherst Street, PMB 109
Nashua, NH 03063

29044224921